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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC, and Bernard L. Madoff,
Plaintiff,

v.

ABU DHABI INVESTMENT AUTHORITY,

Defendant.

No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 11-02493 (CGM)

**ABU DHABI INVESTMENT AUTHORITY'S DESIGNATION
OF RECORD ON APPEAL AND STATEMENT OF ISSUES**

Pursuant to Federal Rule of Bankruptcy Procedure 8009(a)(1) and Local Rule 8009-1, Defendant Abu Dhabi Investment Authority submits this designation of items to be included in the record on appeal and statement of issues with respect to the appeal docketed in the United States District Court for the Southern District of New York at Civil Action No. 22-cv-09911.

1. Designation of Record on Appeal

ADIA designates the following items to be included in the record on appeal. Each designated item shall also include any and all exhibits and documents annexed to and/or referenced within such items.

Date	Docket Entry¹	Description
08/11/2011	1 (Entries: 1-1 – 1-5)	Adversary Complaint with Exhibits A–E
05/11/2022	109	ADIA’s Motion to Dismiss the Complaint
05/11/2022	110 (Entries: 110-1 – 110-10)	Declaration of Marc L. Greenwald in Support of ADIA’s Motion to Dismiss with Exhibits 1–10
05/11/2022	111	Declaration of Mohamed Mubarak Rashed Saeed Al-Hajeri in Support of ADIA’s Motion to Dismiss
05/11/2022	112	ADIA’s Memorandum of Law in Support of its Motion to Dismiss
07/11/2022	114	Trustee Irving H. Picard’s Memorandum of Law in Opposition to ADIA’s Motion to Dismiss
07/11/2022	115 (Entries: 115-1 – 115-33)	Declaration of Keith R. Murphy in Opposition to ADIA’s Motion to Dismiss with Exhibits 1–33
08/09/2022	117	ADIA’s Reply in Support of its Motion to Dismiss
10/28/2022	126	Memorandum Decision Denying ADIA’s Motion to Dismiss

¹ These docket entries refer to filings in Adversary Proceeding No. 11-02493.

Date	Docket Entry ¹	Description
11/03/2022	130	Order denying ADIA's Motion to Dismiss
11/16/2022	132 (Entries: 132-1 – 132-4)	ADIA's Notice of Appeal with Exhibits A and B, Civil Cover Sheet, and Related Case Statement

2. Statement of Issues

1. Whether the Bankruptcy Court erred in holding that it had subject matter jurisdiction pursuant to the third clause of the commercial activity exception of the Foreign Sovereign Immunities Act.

ADIA reserves the right to supplement or amend the statement of issues to be presented on appeal and to designate additional items for inclusion in the record on appeal.

DATED: New York, New York
November 30, 2022

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By: /s/ Marc L. Greenwald

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